THE HONOURABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 19305 of 2007

Date:05-10-2007

Between:

B.Ramanamma and (21) others **.. PETITIONERS**

AND

The District Collector and two others

..

RESPONDENTS

ORDER:

The petitioners seek a writ of mandamus to declare the action of the respondents in taking steps to dispossess them from their respective house sites granted on 05.05.1999 in D.Dis.No.A/279/99, by the Mandal Revenue Officer, Kandukur in Sy.No.1882/3 of Mahadevapuram village, Kandukur mandal, Prakasham District, as illegal and arbitrary.

It is the case of the petitioners that they are the agricultural labourers of Mahadevapuram village, Kandukuru mandal, Prakasham District and they have been allotted house sites vide proceedings No.D.Dis.No.A/279/99, dated 05.05.1999 each an extent of 144 cents. While so, the respondents informed the petitioners that the said pattas were cancelled on the ground that they were not genuine.

The learned Government Pleader for the respondents submits that the said pattas might have been cancelled on the ground that they are not genuine and bogus one.

It is stated that even if the pattas are cancelled and the petitioners are treated as encroachers, they cannot be evicted from their lands without following due process of law under A.P. Encroachment Act.

Without expressing any opinion on the merits of the case and if the petitioners are in possession as on today, the respondents are directed not to dispossess them from their lands without following due process of law.

With the aforesaid directions, the writ petition is disposed of. No costs.

V.ESWARAIAH, J.

Date:05.10.2007
ccm